

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Art Unit: 1657
)	
NILSSON, Dan)	Examiner: AFREMOVA, V.
)	
Serial No.: 10/658,376)	Washington, D.C.
)	
Filed: September 10, 2003)	January 17, 2008
)	
For: METABOLICALLY ENGINEERED)	Docket No.: NILSSON=6B
LACTIC ACID BACTERIA...)	
)	Confirmation No.: 5425

REQUEST FOR CONTINUED EXAMINATION (RCE)

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop RCE
401 Dulany Street
Alexandria, VA 22314

S i r :

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114 (must check "a" or "b")

- a. ☒ Previously submitted
 - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on October 16, 2007.
(Any unentered amendment(s) referred to above will be entered)
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ DO NOT consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on _____.
- b. ☒ Enclosed
 - i. ☒ Supplemental Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a

USSN - 10/658,376

period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).

b. ☐ Other

3. Fees

a. small entity status

☐ small entity status was previously asserted on _____.

☐ small entity status is now asserted.

b. Fee Calculation

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e): \$

☐ 405.00 (small entity) ☒ 810.00 (large entity)

(The RCE fee is set at an amount equal to the basic filing fee of a utility application; small entity reduction is available.)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

Small Entity

Non-Small Entity

Response filed within:

Response filed within:

____ first -\$ 60.00

____ first - \$ 120.00

____ second -\$ 230.00

____ second - \$ 460.00

____ third -\$ 525.00

____ third - \$1,050.00

____ fourth -\$ 820.00

____ fourth - \$1,640.00

____ fifth -\$1,115.00

____ fifth - \$2,230.00

month after time period set. month after time period set.

(less \$ _____ already paid for _____ month(s) extension of time on _____).

iii. Other

(RCE fee need not include excess claims fee for claims previously paid for)

(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee	Rate	Additional Fee
Total	14	Minus	29	0		x 25	\$	x 50	\$
Indep.	5	Minus	3	2		x105	\$	x210	\$420.00
First Presentation of Multiple Dependent Claim						185	\$	+370	\$
TOTAL ADDITIONAL CLAIMS FEE							\$	Total	\$420.00

USSN - 10/658,376

c. The total fee due is therefore \$_____.

d. PAYMENT BY

i. ☐ Check (#) in the amount of :

ii. Attached is Credit Card Authorization authorizing payment in the amount of \$1230.00.

iii. ☐ Charge \$ _____ to Deposit Account No. 02-4035

e. ☒ [X] Provisional extension of time if needed. Applicants authorize any charge of additional fees (**except issue and publication fee**) which may be required in connection with this application, for this paper or any later filed paper, to Deposit Account No. 02-4035.

f. ☒ [X] The director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: _____

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